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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/189,112	11/09/1998	SHMUEL SHAFFER	98P7917US	5131

7590 05/02/2006

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

HOM, SHICK C

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/189,112	Applicant(s) SHAFFER ET AL.	
	Examiner Shick C. Hom	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/17/06 § 4/5/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-32 and 34 is/are allowed.
- 6) ☒ Claim(s) 33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in

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order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doshi et al. (6,529,499) in view of Haserodt (6,031,836).

Regarding claim 33:

Doshi et al. disclose the system, comprising: a local area network; a first local area network telephony system including gateway for first local area network telephony call processing for telephony devices operable on said local area network; a second local area network telephony system including a server for second local area network telephony call processing for telephony-over-LAN devices operable on said local area network; (see Fig. 3 the IP network 205 connected to the gateway 250, for call processing, connected to the SS7 switch 210 and the server 230 connected to the IP network 205 clearly reads on the local area network, the gateway, and the server as claimed) and means associated with said server for accounting for first and second local area telephony system bandwidth usage on said local area network before allowing a call on said local area network

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using said first local area network telephony system (see col. 1 line 54 to col. 2 line 9 which recite the server being utilized to maintain bandwidth capacity data for each path segment within the network and to forward the bandwidth capacity data to the gateway for the purpose of providing a quality of service guarantee for voice traffic clearly reads on a server accounting for bandwidth usage on the local area network before allowing a call).

For claim 33, Doshi et al. disclose all the subject matter of the claimed invention with the exception of the gateway connected to the network being a telephony feature access TFA gateway for TFA telephony devices.

Haserodt from the same or similar fields of endeavor teach that it is known to connect a telephony feature access TFA gateway for TFA telephony devices to the IP network (see col. 2 lines 13-31 which recite means for accessing telephony features in the IP network and col. 1 lines 10-42 which recite features found in the private branch exchange being such as call forwarding, hold, drop, transfer, conference etc.). Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide the gateway connected to the network being a telephony feature access TFA gateway for TFA telephony devices as taught by

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Haserodt in the communications system of Doshi et al. The TFA gateway can be implemented by substituting the TFA gateway of Haserodt for the SS7 gateway of Doshi et al. The motivation for using a TFA gateway as taught by Haserodt in the communication system of Doshi et al. being that it provides the added desirable feature of interfacing to telephony features for the users.

Allowable Subject Matter

4. Claims 1-32 and 34 are allowed.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Focsaneanu et al. disclose access to telecommunications networks in multi-service environment.

Tanigawa et al. disclose communication system with communication route retrieval and selection function.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C. Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH

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Seema S. Rao
SEEMA S. RAO 4/27/06
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